

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

L.P.O.E., Inc., a Minnesota Corporation;
Down In the Valley, Inc., a Minnesota Corporation;
Disc and Tape, Inc., a Minnesota Corporation; and,
Hideaway LLC., a Minnesota Corporation.

Plaintiffs,
vs.

**MOTION FOR PRELIMINARY
INJUNCTION AND TEMPORARY
RESTRAINING ORDER**

The United States Drug Enforcement Administration,
U.S. Department of Justice; and its

Court File No: 10-cv4944 PJS/LIB

Deputy Director, D.E.A., Michele M. Leonhart

Defendants.

The above-named Plaintiffs, by the undersigned, hereby moves this Court for an Order, pursuant to Fed. R. Civ. P. 65(a) and (b), as follows:

1. Granting to Plaintiffs a preliminary injunction, and until a hearing on the motion for preliminary injunction can be had, a temporary restraining order, restraining and enjoining Defendants from taking any action, civil, criminal, or administrative, to enforce the provisions to temporarily place five synthetic cannabinoids into the Controlled Substances Act (CSA) pursuant to the temporary scheduling provisions under 21 U.S.C. 811(h) of the CSA.

The substances are 1-pentyl-3-(1-naphthoyl)indole (JWH-018), 1-butyl-3-(1-naphthoyl)indole (JWH-073), 1-[2-(4-morpholinyl)ethyl]-3-(1-naphthoyl)indole (JWH-200), 5-(1,1-dimethylheptyl)-2-[(1R,3S)-3-hydroxycyclohexyl]-phenol (CP-47,497), and 5-(1,1-dimethyloctyl)-2-[(1R,3S)-3-hydroxycyclohexyl]-phenol (cannabicyclohexanol; CP-47,497 C8 homologue). of Duluth City Code, Section 34-42 against Plaintiffs.

2. Waiving the security requirement of Fed. R. Civ. P. 65(c).

The foregoing motion shall be based upon the Complaint in the above-entitled matter, upon the attached affidavits and exhibits, upon the attached Memorandum of Law, and upon all of the files, records, and proceedings herein.

Dated: December 21, 2010

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